

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COMMUNITY ASSOCIATION :
UNDERWRITERS OF AMERICA, INC., as :
subrogor of Whisper Hill on the Hudson :
Condominium, : **ORDER OF DISMISSAL**
Plaintiff, :
v. : 20 CV 6810 (VB)
: :
JAYNE VICELICH, :
Defendant. :
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On August 24, 2020, plaintiff Community Association Underwriters of America, Inc, as subrogor of Whisper Hill on the Hudson Condominium, commenced the instant action against defendant Jayne Vicelich. (Doc. #1).

On August 26, 2020, the Clerk of Court issued a summons as to defendant. (Doc. #6). However, there is no indication on the docket that defendant has been served, and defendant has not appeared in this case.

On December 3, 2020, the Court issued an Order warning plaintiff that this action would be dismissed without prejudice, pursuant to Fed. R. Civ. P. 4(m), unless, on or before December 10, 2020, plaintiff either: (i) filed to the ECF docket proof of service, indicating defendant was served on or before November 23, 2020; or (ii) showed good cause in writing for plaintiff's failure to comply with Fed. R. Civ. P. 4(m). (Doc. #7).

To date, plaintiff has failed to respond to the December 3 Order.

Accordingly, this case is dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m).

The Clerk is instructed to close this case.

Dated: December 14, 2020
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge